

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/532,858	MIYAUCHI ET AL.	
	Examiner LAM T. MAI	Art Unit 2819	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 11/21/05.
2.  The allowed claim(s) is/are 1-11.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 4/27/05
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 10, line 1, CHANGE "A program storage medium" to "A computer readable medium".

Claim 11, line 1, after "A program" INSERT "storing on computer readable medium".

***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Allowable Subject Matter***

Claims 1-11 are allowable.

The following is an examiner's statement of reasons for allowance: Claim 1 is allowed over the prior art of record. The prior art of record, considered individually or in

combination, fails to fairly or suggest claimed decoding apparatus comprising limitation “the decoding means decodes the modulation code on the basis of a modulation code trellis represented by paths corresponding in a one-to-one fashion to overall state transitions in the encoding process of the modulation code in accordance with the variable-length table” structurally and functionally interconnected with other limitations in the manner as cited in the claim and dependent claims 2-8.

Claim 9 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly or suggest claimed decoding method comprising limitation “the modulation code on the basis of a modulation code trellis represented by paths corresponding in a one-to-one fashion to overall state transitions in the encoding process of the modulation code in accordance with the variable-length table” structurally and functionally interconnected with other limitations in the manner as cited in the claim.

Claim 10 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly or suggest claimed computer program comprising limitation “the modulation code on the basis of a modulation code trellis represented by paths corresponding in a one-to-one fashion to overall state transitions in the encoding process of the modulation code in accordance with the variable-length table” structurally and functionally interconnected with other limitations in the manner as cited in the claim.

Claim 11 is allowed over the prior art of record. The prior art of record, considered individually or in combination, fails to fairly or suggest claimed computer

program comprising limitation "the modulation code on the basis of a modulation code trellis represented by paths corresponding in a one-to-one fashion to overall state transitions in the encoding process of the modulation code in accordance with the variable-length table" structurally and functionally interconnected with other limitations in the manner as cited in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Cited References**

The prior art made of record and not replied upon is considered pertinent to application's disclosures. The cited references relate to instant application subject matter.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAM T. MAI whose telephone number is (571)272-1807. The examiner can normally be reached on 5:30 am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Barnie Rexford can be reached on (571) 272-7492. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lam T. Mai  
Primary Examiner  
Art Unit 2819